

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040806

1. REQUESTED MOTION:

ACTION REQUESTED: Approve a resolution dedicating and naming the pedestrian courtyard area between the Justice Center and the SunTrust Bank Building (Justice Center Annex) as the "James G. Yaeger Justice Center Courtyard."

WHY ACTION IS NECESSARY: The dedication and naming of this courtyard will honor the person who has dedicated 29 years of service and leadership to Lee County.

WHAT ACTION ACCOMPLISHES: Board approval officially recognizes the dedication and naming of the future courtyard between the two Justice Center buildings as the "James G. Yaeger Justice Center Courtyard."

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT**

A3A

3. MEETING DATE:

08-03-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER *John E. Albion*
- B. DEPARTMENT ~~_____~~
- C. DIVISION *_____*
- BY: _____

7. BACKGROUND:

The Board of County Commissioners desires to recognize James G. Yaeger for his 29 years of good and faithful service to Lee County. James G. Yaeger has served the Board of County Commissioners and the citizens of Lee County as County Attorney continuously for over 26 years making him one of the longest serving County Attorneys in the State of Florida. To honor, recognize and thank him for his faithful service to Lee County, the Board of County Commissioners desires to dedicate the new pedestrian courtyard between the two Justice Center buildings, which will be named the "James G. Yaeger Justice Center Courtyard."

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	RISK	GC	
<i>[Signature]</i> 6-21-04				<i>R. Gray</i>	<i>[Signature]</i> 6/24/04	<i>[Signature]</i> 6/24	<i>[Signature]</i> 6/24	<i>[Signature]</i> 6/24/04	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
 - DENIED
 - DEFERRED TO *08-03-04*
 - OTHER
- ON *06-29-04*

Rec. by CoAtty
Date: *6/18/04*
Time: *2:05 PM*
Forwarded To: *Budget 6-29-04*

RECEIVED BY
COUNTY ADMIN: *[Signature]*
6/24/04
2:30pm SL7
COUNTY ADMIN
FORWARDED TO: *[Signature]*
6/24/04
6-15-04

Attorney's recommendation. Commissioner Albion stated that the issue is who decides to apply, and noted that this should be an open process with a legitimate bona fide search. Commissioner Judah noted that he couldn't support the motion with the formal designation, and that depending on the outcome of the original motion he would proffer another motion. Commissioner Albion stated that the motion is to formally designate Robert Gray as interim County Attorney effective upon the moment of retirement by County Attorney Yaeger, until such time as a decision is made and whoever is to replace Attorney Yaeger formally starts their duty. The main motion was called and failed with Commissioners Albion, Janes, and Judah voting nay. Commissioner Judah moved to recognize that the procedure allows for Attorney Gray, as Deputy County Attorney, with Attorney Yaeger's resignation, to provide for oversight and management of the County Attorney's Office, and be given authority by the Board to sign any and all legal documents on behalf of the County Attorney's Office and this Commission, seconded by Commissioner Janes. In reply to the perception, Attorney Yaeger stated the motion and the record are clear that Attorney Gray has the authority to sign and act as Deputy County Attorney. The motion was called and carried. After the motion was called and carried: Commissioners Judah, Janes, and Albion congratulated Attorney Gray, and wished him luck in the process.

WALK-ON ITEM NO. 5

3. COUNTY COMMISSIONERS

ACTION REQUESTED:

Approve a resolution dedicating and naming the pedestrian courtyard area between the Justice Center and the SunTrust Bank Building (Justice Center Annex) as the "James G. Yaeger Justice Center Courtyard".

WHY ACTION IS NECESSARY:

The dedication and naming of this courtyard will honor the person who has dedicated 29 years of service and leadership to Lee County.

WHAT ACTION ACCOMPLISHES:

Board approval officially recognizes the dedication and naming of the future courtyard between the two Justice Center buildings as the "James G. Yaeger Justice Center Courtyard".
(#20040806-County Commission)

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: Five Walk-On Items would be heard after consideration of the Administrative Agenda. In response to Commissioner Albion's question, Commissioner Judah moved to defer Walk-On Item No. 5 to the August 3 Board meeting to provide more attention and specificity to the item, seconded by Commissioner Coy, called and carried.

COMMISSIONER ITEMS

BID WAIVERS - Commissioner Janes indicated that he was concerned with the excessive number of Bid Waivers being considered, and expressed caution on using this process incorrectly.

SENATORIAL OFFICE - Commissioner Janes noted that, as Legislative liaison, he was contacted by US Senator Bill Nelson's Chief of Staff Pete Mitchell to inform him that Senator Nelson is interested in opening up an office for the citizens of the County and Southwest Florida in Lee County; remarked that Mr. Mitchell inquired whether there was any usable space approximately 525 square feet for the Senator to use as a Senatorial Office; and mentioned that Assistant County Manager Holly Schwartz has been researching with Facilities Management Director Richard Beck. Commissioner Janes suggested that the Board look into all available space, seconded by Commissioner Judah. Ms. Schwartz stated that staff would look into all available space, noted that it has been suggested that staff come forward with a policy on whether or not to charge for the space, and remarked that the County charges for any space in the SunTrust building. County Manager Donald D. Stilwell suggested coming back at the next meeting with a recommendation on this issue, and allow time to have a firm policy. Brief discussion was held between Commissioner Albion and Mr. Stilwell about scheduling this issue for the next Management and Planning (M&P) meeting, and whether the officials requesting the space have a normal budget for these types of

**BOARD OF COUNTY COMMISSIONERS
WALK ON AGENDA ITEMS
MEETING DATE: June 29, 2004**

WO # DESCRIPTION

- WO #1** **ACTION REQUESTED:**
Authorize Chairman to grant the Sheriff of Lee County permission to accept and expend funds received from the State Criminal Alien Assistance Program (SCAAP) upon disbursement as outlined in the background information. Authorize expenditure of the funds in accordance with funding request outlined in the background information.
WHY ACTION IS NECESSARY:
Federal regulations controlling this grant require the approval of the Board of County Commissioners.
WHAT ACTION ACCOMPLISHES:
Allows Lee County Sheriff's Office permission to purchase the following: mattresses and bunks for detention facilities, Data Sharing Consortium connectivity, mental health training for deputies, and JBI technical assistance fees. (#20040840-Sheriff)
REASON FOR WALK ON:
Required to accept funds within 45 days.
- WO #2** **ACTION REQUESTED:**
Approve and sign the grant award from the Department of Juvenile Justice in the amount of \$57,194 for the Neighborhood Accountability Boards. Approve a budget amendment resolution in the amount of \$57,194. Establish a full-time grant funded Human Services Coordinator in the Department of Human Services to assist with the administration of the Neighborhood Accountability Board.
WHY ACTION IS NECESSARY:
To accept grant funding from the Department of Juvenile Justice. Due to the volume of referrals and the number of neighborhoods and other communities we are serving, existing staff needs assistance with the Neighborhood Accountability Board conferencing.
WHAT ACTION ACCOMPLISHES:
Continues the Neighborhood Accountability Boards to address first time juvenile offenders, victims, and the victimization of the neighborhoods. Allows Human Services to hire a full-time grant funded position. (#20040844-Human Services)
REASON FOR WALK ON:
Required to accept funds from grant.
- WO #3** **ACTION REQUESTED:**
Discuss the proposed acquisition of the TOPPS building for the purpose of relocating the Pondella Road and Michigan Avenue offices of the Lee County Health Department.
WHY ACTION IS NECESSARY:
Requested by the Board
WHAT ACTION ACCOMPLISHES:
Determination of the future location of health services for Lee County. (#20040843-Constructin & Design)
REASON FOR WALK ON:
Board directed.
- WO #4** **ACTION REQUESTED:**
Name Interim County Attorney
WHY ACTION IS NECESSARY:
County Attorney, James G. Yaeger, is retiring effective June 30, 2004
WHAT ACTION ACCOMPLISHES:
Fills on an interim basis the position of County Attorney. (#20040853-County Attorney)
REASON FOR WALK ON:
Board directed.
- WO #5** **ACTION REQUESTED:**
Approve a resolution dedicating and naming the pedestrian courtyard area between the Justice Center and the SunTrust Bank Building (Justice Center Annex) as the "James G. Yaeger Justice Center Courtyard."
WHY ACTION IS NECESSARY:
The dedication and naming of this courtyard will honor the person who has dedicated 29 years of service and leadership to Lee County.
WHAT ACTION ACCOMPLISHES:
Board approval officially recognizes the dedication and naming of the future courtyard between the two Justice Center buildings as the "James G. Yaeger Justice Center Courtyard." (#20040806-County Commission)

**BOARD: ALBION COY JUDAH JANES ST. CERNY
COMMISSION RECEPTION DESK
DONALD STILWELL, COUNTY MANAGER
WILLIAM HAMMOND, DEPUTY COUNTY MANAGER
HOLLY SCHWARTZ, ASSISTANT COUNTY MANAGER**

**ANTONIO MAJUL, BUDGET SERVICES
JAMES YAEGER, COUNTY ATTORNEY
JAMES LAVENDER, PUBLIC WORKS
PUBLIC RESOURCES OFFICE
LISA PIERCE, MINUTES**

DATE AND TIME DISTRIBUTED: 06-28-04 4:30 PM

**Distributed by: Kathy Geren
Division of Public Resources
Phone: 335-2215**

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA DEDICATING AND NAMING THE NEW COURTYARD BETWEEN THE JUSTICE CENTER BUILDING AND THE "SUNTRUST BUILDING" (THE NEW JUSTICE CENTER ANNEX) AS THE "JAMES G. YAEGER JUSTICE CENTER COURTYARD."

WHEREAS, James G. Yaeger has well and faithfully served the Board of County Commissioners and the citizens of Lee County as County Attorney continuously for over 26 years making him one of the longest serving County Attorneys in the State of Florida; and

WHEREAS, James G. Yaeger has consistently performed his duties in an exemplary manner with the highest degree of integrity and competence, bringing a standard of professionalism that has enhanced both the community and legal profession; and

WHEREAS, James G. Yaeger has chosen to retire from his position as Lee County Attorney at the conclusion of the business day on Wednesday, June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

1. The Board desires to recognize and sincerely thank James G. Yaeger for his 26 years of faithful service as our County Attorney; and,
2. The Board hereby dedicates and names the future courtyard between the Justice Center and the Justice Center Annex in James G. Yaeger's honor, which will be

known from this day forward as the "James G. Yaeger Justice Center Courtyard."

The foregoing resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner _____ and seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

Bob Janes	_____
Douglas R. St. Cerny	_____
Ray Judah	_____
Andrew Coy	_____
John E. Albion	_____

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, this 29th day of June, 2004.

BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST:
CHARLIE GREEN, CLERK

APPROVED AS TO FORM:

BY: _____
Deputy Clerk

BY: _____
Office of the County Attorney